

Affiliate is a separate unit that performs all or part of the functions of the legal entity itself on behalf of the legal entity. They are created for the activities of a legal entity outside its location. Such affiliates are most often formed by educational and scientific institutions. However, it can be enterprises producing goods, services, carrying out other, business activities.

Representative offices are created to represent and protect the interests of a legal entity outside its place of location. Such representative offices are almost always created by large enterprises in the places of suppliers, buyers and consumers.

To sum up, one can say that a legal entity is capable of having the same civil rights and obligations (civilian capacity) as an individual, other than those which by their nature may belong only to a person. Civil legal personality of a legal entity consists of civil capacity and civil capacity of this person. The feature of the development of a legal entity in our time is that its personal non-property rights go to one level with its property rights, which was never before. Often, for the purpose of realization of their legal personality, legal entities create affiliates and representative offices, which considerably simplify their work.

References:

1. Цивільний кодекс України : станом на 04.02.2019 р. : відповідає офіц. тексту. – Харків : Право, 2013. – 440 с.
2. Братель О. Г. Цивільне право України / О. Г. Братель, С. А. Пилипенко. – Київ : Вид. О. С. Ліпкан, 2010. – 256 с.
3. Харитонов Є. О. Цивільне право України / Є. О. Харитонов, О. І. Харитонova, О. В. Старцев. – Вид. 3-тє, переробл. і допов. – Київ : Істина, 2011. – 808 с.
4. Цивільне право України. Особлива частина / за ред.: О. В. Дзера, Н. С. Кузнецова, Р. А. Майданик. – Київ : Юрінком Інтер, 2010. – 1176 с.
5. Цивільне право України. Особлива частина : підручник / за ред. : В. Г. Фазикоша, С. Б. Булеци. – Київ : Знання, 2013. – 752 с. – (Вища освіта ХХІ століття).
6. <http://www.unlimited-translate.org/en/dictionaries/ukrainian-to-english/translate/%D0%BE%D1%81%D0%BE%D0%B1%D0%B0.htm?>

UDC 649.1

DEMOCRATIC GOVERNMENT: TEMPORAL DELIMITATION

Yaroslav Morozov, student

Kseniya Nesterenko, Associate Professor, PhD (Philology), Research Advisor
Yaroslav Mudryi National Law University

The relevance of the topic is based on the issue of the time requirements for an accountable and efficient government. It is a well-known fact that the government is an essential pillar of a democratic society. The rise of democracy had begun in the 20th century and reached its highest point in the 1990s, after the

collapse of the Soviet Union. It is pertinent to state that democracy is «polity in which collective decisions (laws, policies, procedures) are the expression, direct or indirect, of the preferences and choices of the collection of equal citizens of the polity»[1].

An essential facet of democracy is a government which is responsible for representing the collective decisions mentioned above. Every government of such a type has the power within a certain period of time. This period, being limited in duration, is defined by the frequency of the elections, which are the main source of the society representatives who will run the country. However, the life span of the government is quite short: approximately it lasts 4 to 5 years. The reason is to prevent the ruling party from being dictatorial, stagnant over time or ignoring the public interests. On one side, the temporal delimitation causes the government's inefficiency and instability. This occurs because there is not enough time for the government to implement its policy due to harsh conditions inside the country and other reasons. On the other side, the limited time motivates the government to do its best in order to gain respect and trust from the public.

It is clear that the bounds of these time frames are set by the elections, which are of great importance for the government as well as for population. That is why there are many contradictions concerning this issue. The main concern is about how often the elections should be held. First of all, there should be a reasonable criterion that would assure the efficiency of the government. Thus, Juan J. Linz points out at the criteria for a time span given for «the majority emerging from an election»: «(1) time to familiarize itself with the problems and the operation of government, since we cannot assume that those elected would already have experience in governing and be familiar with all the major problems and the machinery of the state to deal with them; (2) time to formulate basic policies; (3) time to enact the necessary legislation in the regular legislative process, rather than by emergency legislation...»[2, p.23]. The list does not end at this point. Hence, according to Linz, it includes certain time to prepare and approve the budget that would make the implementation of basic policies possible. Then the government needs time to implement them and, consequently, to observe the results and find the ways for improvement. Moreover, the public needs to analyze the achievements of the ruling party and, at last, the remaining time is for the election campaign, which is also quite important in a democratic state.

Nevertheless, there is an opposite side of the temporal delimitation of the democratic bodies. The government without any time restrictions is also acceptable, however, it has a great influence on the effectiveness of the decision-making. The absence of the time bounds should not hinder the regulation of public affairs and development of the democratic society. It may be inferred that «the regulation of the use of time is essential in the decision-making of democratic bodies, and it can range from extreme rigidity to the radical utopia of some form of assembly (when any resolution can be introduced and voted on at any time by a “continuous body” permanently in session» [2, p. 28].

In summary, the limited duration of government power is essential in a democratic state. It ensures balanced regulation of the political affairs along with the realization of public interests. The ruling party has to keep itself from pursuing immediate advantages (such as political capital). Therefore, it has to provide legible policies, which are possible to implement and which promote the development of the society.

References:

1. Democracy and development. - Retrieved from: <http://www-personal.umd.umich.edu/~delittle/Democracy%20and%20development.pdf>
2. Juan J. Linz. Democracy's time constraints / Linz. Juan J. // International Political Science Review / Revue internationale de science politique, Vol. 19, No. 1, Democracy and Time. Temps et démocratie (Jan., 1998), pp. 19–37

UKRAINE DURING THE TOTALITARIAN REPRESSION REGIME OF 1917-1991

Nadia Mykytyn, student

Liliana Shevchuk, Associate Professor, PhD (Law), Scientific adviser

Lily Kuznetsova, Associate Professor, PhD (Philology), Language consultant

Lviv Ivan Franko National University

"Soviet totalitarianism" is a kind of communist totalitarianism, based on the primacy of the class approach, the denial of the right to private property, the prohibition of autonomy of the individual, etc. At the same time, a mass terror, which is directed not only against real or imagined opponents of the regime, but also used as a means of managing society, is an integral part of totalitarianism. To justify mass repressions, as well as tough methods of control and restriction of individual freedom, the creation of the so-called "enemy of the enemy", as advocates of other ideologies, are used. Thus, totalitarianism is a criminal form of power that destroys the people with impunity.

Separately among the totalitarian states is the Soviet Union. Having proclaimed humane goals and prospects, the Stalinist leadership created a political system that had its own peculiarities. Stalin's model of society is the so-called revolutionary totalitarianism. The reasons for establishing a totalitarian regime in the USSR were the lack of traditions of democracy, the low level of political culture of the population, the gradual growth of party and state apparatus, the DKT of the CPSU (B) in the political sphere, the command-administrative system of the management of the state economy, etc. The main method of establishing and maintaining the regime's existence was constant terror against all groups and strata of society. The totalitarian regime of the USSR was in fact a regime of personal power of Y. Stalin. The dictatorship of the CPSU, the lack of pluralism, opposition parties and movements, the actual deprivation of an individual's real participation in